

OCT - 9 2012

FCC Mail Room

ARTS

October 5, 2012

Marlene H. Dortch, Secretary  
 Federal Communications Commission  
 Office of the Secretary  
 9300 East Hampton Drive  
 Capitol Heights, MD 20743

**Re: Waiver Request (E-Rate) | CC Docket No. 02-6**

Dear Ms. Dortch:

Entity & BEN	Idyllwild Arts Academy (BEN 200837)
Contact Person	Doug Lothes
Contact Information	Idyllwild Arts Foundation
Mailing Address	PO Box 38, (52500 Temecula Drive), Idyllwild CA 92549
Phone Number	951-659-2171 x2211
Fax	951-659-2323
Email	dlothes@idyllwildarts.org
Funding Year	2012
Application Type & Application Number	Form 471 876428
Reason for Appeal	Postmarked Outside of Window
Service Provider & SPIN	AT&T Mobility   143025240
FRN	2392274
Service Provider & SPIN	Verizon Wireless   143000677
FRN	2392275
Service Provider & SPIN	Verizon California Inc.   143004769
FRNs	2392276, 2392277
Service Provider & SPIN	Verizon Online, LLC   143005440
FRN	2392278
Service Provider & SPIN	Verizon Long Distance, LLC   143030795
FRNs	2392279, 2392280
Service Provider & SPIN	Tierzero   143035967
FRNs	2392309, 2392310

**Appeal Explanation:**

Idyllwild Arts Foundation had no E-Rate coordinator for nearly two years until I was hired on 27 February 2012, as Executive Assistant in Finance, after the deadline for filing the Form 470.

On 15 March 2012, I faxed a letter to USAC and spoke on the phone with Melissa from the USAC. She suggested that we go ahead with filing a Form 470; wait 28 days and collect bids; file the Form 471; wait for the "Outside of Window" letter (which we

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Marlene H. Dortch

October 5, 2012

Page 2.

received and was dated 2 October 2012); then apply for a waiver request from the FCC. Our 15 March 2012 letter with my handwritten notes from our conversation is enclosed as a reference.

If you have any questions, please do not hesitate to contact me. Thank you, Ms. Dortch, for your time and consideration of our waiver request.

Regards,

A handwritten signature in black ink, appearing to read "Doug Lothes", with a long horizontal stroke extending to the right.

Doug Lothes

Executive Assistant, Finance

Enclosure

3/5/12

Melissa -

Case # 22-341970



March 15, 2012

E-Rate/Schools & Libraries Program

Fax: 888-276-8736

Dear Sir/Madame:

I am the contact person for Idyllwild Arts Foundation (IAF), BEN # 200837, regarding E-Rate. I have taken over from a former IAF employee. I would like to get some clarification on a few issues concerning IAF's participation/funding over the past couple of years.

**2010/2011 Funding Year**

IAF filed for the year 2010/2011 and we are currently waiting for the AP 486 Notification Letter before filing the Form 472 (BEAR). All appears on track for this.

**2011/2012 Funding Year**

1. Does USAC/SL have any IAF paperwork/filing forms for the 2011/2012 year? (I suspect that, before I was hired, this was not accomplished, however, I wanted to confirm that with your office.)
2. At this late date, is there a way for IAF to qualify/file for funding from several existing long-term contracts with the following, all of which were approved for the 2010/2011 Funding Year?
  - a. AT&T Mobility (SPIN 143025420)
  - b. Verizon Wireless (SPIN 143000677)
  - c. Verizon California Inc. (SPIN 143004769)
  - d. Verizon Online, LLC (SPIN 143005440)

nothing  
filed

too late  
to file  
2011/12

**2012/2013 Funding Year**

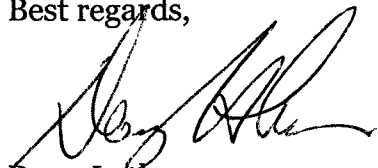
1. IAF is signing a multi-year contract with TierZero (SPIN 143035967) to provide local Ethernet; Cisco routing; DID and other telephone lines. IAF has been using their services for several years; however, it was brokered through Joint Technologies Ltd. (JTL), which I understand is no longer a participant in E-Rate. JTL informed IAF that it wanted out of the middle and so IAF is now contracting directly with TierZero.
2. Obviously, IAF missed the window for filing Form 470 and is not conducting a bid process for services already contracted. There is a paragraph in USAC/SL's information, "Note that once an applicant has signed a multi-year contract in a prior funding year pursuant to a posted Form 470, it need not submit a new Form

470 to be eligible to apply for discounts on the services provided under that multi-year contract for future funding years." Is IAF eligible for discounts in 2012/2013 Funding Year with TierZero and with the other long term vendors listed above under 2011/2012 Funding Year (Items 2a, b, c, and d)? If so, may we proceed in filing a Form 471 before the closing date in 5 days?

I'm sure I will have further questions as I learn this process. I thank you in advance for your patience and assistance moving forward.

Please feel free to contact me directly by phone at 951-659-2171 x2211; by email [dlothes@idyllwildarts.org](mailto:dlothes@idyllwildarts.org); or fax 951-659-2323 with your response or with any questions you may have.

Best regards,



Doug Lothes  
Executive Assistant, Finance  
Idyllwild Arts Foundation

3/15/12

① file 470  
② wait 28 days → If new contract of tier zero is below the bids, we can file for discount  
③ file 471  
④ Receive "out of window" ltr.  
⑤ FCC - Waiver request  
(filing appeals on USAC-SL website  
Waiver requests to FCC)